

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Micah Andrum Hayes,

Plaintiff,

vs.

Andrew Saul,

Defendant.

Case No.: 2:20-cv-01660-GMN-NJK

ORDER

Pending before the Court is the Report and Recommendation, (ECF No. 6), of United States Magistrate Judge Nancy J. Koppe, which states that this case should be dismissed.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a *de novo* determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. R. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s report and recommendation where no objections have been filed. *See, e.g., United States v. Reyna–Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

Here, no objections were filed, and the deadline to do so has passed. (See Min. Order, ECF No. 6) (setting an October 22, 2020 deadline for objections).¹

¹ The Court notes that Plaintiff filed an Amended Complaint, (ECF No. 8), and a Second Amended Complaint, (ECF No. 12), but no objection to the Report and Recommendation. Even if the Court construes the Amended Complaints as Objections, Plaintiff has not cured the procedural defects identified in the Report and

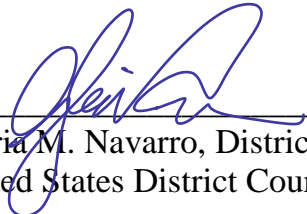
1 Accordingly,

2 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 6), is
3 **ADOPTED** in full.

4 **IT IS FURTHER ORDERED** that this case is **DISMISSED without prejudice**.

5 The Clerk is instructed to close the case.

6 Dated this 27 day of October, 2020.

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Gloria M. Navarro, District Judge
United States District Court

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25 Recommendation because he has still not paid the filing fee or submitted an amended application to proceed *in forma pauperis* pursuant to LSR 1-1. See 28 U.S.C. §§ 1914–15 (providing that a civil action cannot proceed unless a filing fee is paid or the Plaintiff proceeds *in forma pauperis*).